

Attendees: Tim Beardall, Dr. Freddie Cooper, Dr. Forrest Crawford, Samantha Eldridge, Julie Fisher, Robert Harter, Jenny Hor, Kathy Kinsman, Dr. Roderic Land, Jasen Lee, Mac McCullough, Claudia Nakano, Ed Napia, Joseph Nicholas, Maxine Nicholas, Gary Oliver, Shirlee Silversmith, Winston Wilkinson

Excused:

Unexcused:

Welcome – Winston Wilkinson

Winston welcomed all the attendees to the MLK Commission meeting.

Boards and Commission Training – Kathy Kinsman, Assistant Attorney General

Kathy presented the training on board ethics and the Utah Open and Public Meetings Act. The training is statutorily required for all board and commission members in the State of Utah. As a member of the commission, each individual is considered a public officer.

Public officers are prohibited from:

- using their official position to engage in activities that result in the advancement of economic interests or special privileges for themselves or others;
- receiving a gift, compensation, or loan of substantial value or benefit unless a disclosure is made;
- requiring others to make donations unless required by a statute, ordinance, rule, or settlement, or unless voluntarily made or mutually agreed to;
- offering to make a donation in return for favorable conditions unless required by a statute, ordinance, rule, or settlement, or unless voluntarily made or mutually agreed to;
- receiving compensation for assisting any person or business in a transaction involving the agency unless a sworn statement is given to the head of the agency and the attorney general; and
- participating in their official position in a transaction involving the state and any business entity in which the public officer has an interest unless a disclosure is made.

The Utah Open and Public Meetings Act requires:

- proper notice of the meeting, which must be given to a local media correspondent and posted to the “Utah Public Notice Website” (pmn.utah.gov);
- an agenda be posted 24 hours prior to the meeting;
- specific procedures be followed when closing a meeting to the public;
- written minutes and a recording of the open meeting be public record, with the approved written minutes designated as the official record;
- a date, time, place of meeting, and names of all members present or absent written in the minutes;
- all matters discussed and decided, all names and substantive information from individuals giving testimony, individual votes on each matter, and any additional information requested by a member be written in the minutes;
- minutes be released to the public 30 days after they are approved; and

- a recording of the open meeting be made available within 3 business days in which an audio tape or link to the audio must be posted on the entity's website.

MLK Foundation – Julie Fisher

Julie provided a brief overview of the Martin Luther King, Jr. Civil Rights Support Restricted Account and the MLK Foundation.

- The main stipulation of the account is that the funds, once appropriated by the legislature, must be distributed to a charitable organization that qualifies as being tax exempt under Section 501(c)(3) of the Internal Revenue Code.
- The Foundation first registered and submitted their Articles of Incorporation on April 7, 2011 with the State of Utah and then re-registered on April 4, 2012. The Articles expired on July 30, 2013 with no renewal pending.
- The Foundation has not registered as a non-profit tax exempt organization under the Utah Division of Consumer Protection.
- The Foundation has never registered as a 501(c)(3) and thus never obtained full IRS status.

Julie stated that the MLK Foundation was created to work in conjunction with the MLK Commission to help administer and fund activities for both entities.

- Tim stated that in order to obtain a 501(c)(3) status, the Foundation must register with 1) the Utah Department of Commerce; 2) the Utah Division of Consumer Protection; and 3) the Internal Revenue Service. The Foundation only registered with the Utah Department of Commerce.
- Freddie requested guidelines as to what the Commission and Foundation can and cannot do.
- Julie suggested a possible training and presentation on financial activities.

Plans for 2014/2015 – Commission Discussion

- Winston proposed creating committees (e.g., fundraising committee).
- Forrest wants the Commission to find its niche in commemorating Dr. King during the holidays, while not overstepping on other organizations' commemorations.
- Forrest mentioned the assassination date (April 4th) of Dr. King and possibly doing a public event around this date (e.g., a reception, collaboration with other organizations).
- Forrest suggested surveying states and monitoring the number of MLK and human rights commissions. The purpose would be to build a relationship with The Martin Luther King Jr. Center for Nonviolent Social Change ("The King Center") in Atlanta, Georgia, who served as the originators of MLK state commissions.
- Forrest wants the Commission to consider a regional meeting inviting other intermountain states to explore and discuss their states' respective MLK and/or human rights commissions and their activities.
 - Nick added that the regional meeting includes the NAACP. He also suggested inviting Jeanetta Williams to a Commission meeting to discuss the possibility further.
 - The NAACP Tri-State Conference of Idaho-Nevada-Utah will be held in Ogden, Utah this year providing the Commission with an opportunity to collaborate with the NAACP in inviting other intermountain MLK state commissions to host a public forum of sorts.
 - Mac cautioned the Commission as to who the Commission links itself to.
- Forrest recommended a full-day meeting, or retreat, to plan and focus on long term goals and missions. He would also like to invite former chairs to the meeting.

- Freddie suggested inviting Debra Charleston, Michael Styles, Betty Sawyer, and Kitty Stewart to the meeting.
 - Forrest would like the Commission to co-sponsor at least five community-based events.
 - Nick suggested beginning the co-sponsorship process by collaborating with churches.
 - Ed proposed having members from the MLK Commission present at the Multicultural Youth Leadership Day.
 - Freddie would like the Commission to collect its written history (e.g., awards given).
 - Mac stated that Debra Charleston might have the records the Commission is looking for.
 - Nick wants to create a packet for new Commission members that contain the Commission's history, finances, and annual events in which the new members would add to it.
 - Once the information is gathered, Commission members would like the records to be posted online.
 - Mac suggested having each Commission member bring in a young individual to a meeting to interest them in the Commission when looking towards the future.
 - Ed, Nick, and Winston proposed inviting community leaders and schools to attend future meetings.
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Action Items

- Winston will send out an email with three Wednesdays for members to choose which day works best for them for the retreat.
- Ed will provide a piece of his artwork to present to Pastor Davis, as a gift from the Commission.
- Nick will order and write a brief description for a plaque, with the description pending approval from the rest of the Commission.